

**IDAHO STATE PUBLIC WORKS CONTRACTORS  
LICENSING BOARD MEETING MINUTES  
1090 EAST WATERTOWER STREET, MERIDIAN, ID 83642  
SEPTEMBER 19, 2005**

*Note: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions*

**BOARD MEMBERS:** David Bennion, Bob Beer, Terry McEntee, Mike Wood, Dick Anderson

**DIVISION OF BUILDING SAFETY EMPLOYEES:** Marsi Woody, Deputy Administrator/Financial Officer; Steve Keys, Building Bureau Chief; Jack Rayne, Industrial Safety & Logging Bureau Chief; Jean Frenette, Program Manager; Tina Smith, Office Services Supervisor; Richard Cirerol, IT Information Systems Coordinator; Renee Bryant, Administrative Assistant/Recorder

**GUESTS:** Kay Christensen, Deputy Attorney General; Jerry Peterson, Idaho Building Trades; Maria Barratt, Division of Financial Management

The September meeting was called to order by Chairman Bennion at 9:05 a.m.

**AUGUST 1, 2005 BOARD MEETING MINUTES:** Mr. Anderson made a motion to accept the August 1, 2005 Public Works Contractors Licensing minutes with Mr. Wood seconding. All in favor, motion carried.

**PREQUALIFICATION DATABASE PRESENTATION:** Mr. Cirerol presented a prototype/pilot on a new contractor database. This database, accessible through DBS's website, would enable perspective agencies to view contractor information from several sources, i.e., Tax Commission and Idaho Transportation Department. Board discussed the possibility of adding additional fields to database.

**PROGRAM MANAGER'S REPORT:** Mr. Frenette updated the Board on the Twin Falls School District assessment and the Michael Worthen, J. Lee Floors vs. Smart Building Solutions complaint...both resolved. Reviewed the issuance of new and renewed construction manager and contractor licenses from July 2004 to June 2005, discussed Public Works revenue comparisons and briefly addressed current investigations.

**NELSON LANDSCAPING:** Bureau denied the renewal of Nelson Landscaping's license based on their financial statements. Nelson Landscaping requested the Board to reconsider the Bureau's decision. Staff briefed the Board on the facts. The Board upheld the Bureau's decision, denying a license to Nelson Landscaping.

**CRITERIA FOR PUBLIC WORKS LICENSE:** Bureau unable to address issue at this time and requested topic be addressed at the next Board meeting.

**IDAHO CODE 54-1903I:** A lengthy discussion ensued on the interpretation/guidelines of the limits of the new law, whether the \$10,000 limitation applied to the size of the job or a particular subcontract.

Chairman Bennion requested Ms. Christensen to present a draft clarifying the statutes based on the \$10,000 limitation. Ms. Christensen currently working on legislative (November 1<sup>st</sup>) deadlines. Will present a draft to the Board after November 1, 2005.

A motion was made by Mr. Beer that the rule interpretation is that aggregate of the jobs of all subs is over \$10,000 and all people on the job are licensed. Mr. McEntee seconded the motion. Motion unanimously carried.

**IDAHO CODE 54-1914:** Staff requested Board's perspective and expectations in relation to the fines as stated in Idaho Code 54-1914. Board agreed the Bureau on the right track, starting with smaller fines for first offenses and enlarging fines as additional offenses occur.

**BANKRUPT/OUT-OF-BUSINESS COMPANIES:** Lengthy discussion regarding licensing of new companies or individuals having prior bankrupt or out-of-business companies. Determined as long as they met the financial requirements and showed experience, in accordance to Public Work's statutes, they are eligible for a license.

Discussed legality of filing a DBA with Secretary of State's office. Determined filing with Secretary of State's office not required of all businesses and is not our jurisdiction.

Mr. Wood made a motion to adjourn the Public Works Contractors License Board meeting. Mr. Beer seconded. The motion was approved by unanimous vote and the meeting adjourned at 11:30 p.m.

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STEVE KEYS  
BUREAU CHIEF

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DATE